



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,625	11/20/2001	Scott Montgomery	703602.3	3428

34313 7590 01/04/2007
ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
4 PARK PLAZA
SUITE 1600
IRVINE, CA 92614-2558

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT PAPER NUMBER

3628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/990,625

Applicant(s)

MONTGOMERY ET AL.

Examiner

Akiba K. Robinson-Boyce

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/06 has been entered.

Status of Claims

2. Due to communications filed 12/13/06, the following is a non-final office action. Claims 1, 23, 28, 33 and 44 have been amended. Claim 48 has been added. The previous rejection has been slightly modified based on the amendments made. Claims 1-48 are pending in this application, have been examined on the merits, and are rejected as follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8-10, and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,547,136).

As per claim 1, Sansone discloses:

storing information for a postage transaction in a database, the postage transaction information comprising a tracking ID for tracking capability within the postal system and an associated delivery status, (Col. 6, lines 28-33, calculates postage required and enters the appropriate information in label 251 [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84])], here, this information is then stored in actual returned orders data base. Since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is inherent that the delivery status is "returned" for the postage with that particular unique code, furthermore, col. 9, lines 14-22, and lines 46-49 shows that a determination as to whether or not stored information matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a determination is made that the information matches, a status report is completed about matching information, which means that container has ready for delivery status to the receive location);

receiving a postage refund inquiry, (Col. 6, lines 20-24, buyer contact return processing, where the postage required for returning the goods is computed in col. 6, lines 28-30, and in this case, the postage to mail the goods back to the seller is analogous to the postage refund since it is common for a business to provide a buyer with free shipping with a return, as shown in Col. 3, lines 21-23, where it is shown that the data center will pay the post the amount debit to the meter for the cost of returning the container); and

retrieving the postage transaction information from the database in response to the postage refund inquiry, to determine whether to refund the postage associated with

Art Unit: 3628

the postage refund inquiry, wherein the postage is refunded based on the delivery status associated with the tracking ID contained within the retrieved postage transaction, (Col. 6, lines 28-33, calculations are then made from the use data base, and the appropriate information in label 251 is entered, [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84]]), here, this information is then stored in actual returned orders data base in order calculate the postage required for return, and since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is inherent that the delivery status is "returned" for the postage with that particular unique code, and that return postage would depend on information stored in the returned orders data base, which includes information related to the tracking ID or unique code, w/col. 6, lines 46-47, buyer will receive a refund, which is included with return processing).

Sansone does not directly disclose "retrieving", however it is obvious that this postal transaction information must be retrieved from the use data base in order to make appropriate calculations).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for a tracking ID to have an associated delivery status with the motivation of identifying what the status of tracked postage is, and to retrieve information from a database with the motivation of conducting further processing of information for the postage being tracked.

As per claim 2, Sansone discloses:

refunding the postage based on the retrieved postage transaction information, (col. 6, lines 42-47, buyer will receive a refund).

As per claim 3, Sansone discloses:

displaying the postage transaction information, (Col. 7, lines 38-44, display results of postage calculations).

As per claim 4, Sansone discloses:

receiving confirmatory delivery status information associated with the tracking ID, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes); and

updating the delivery status in the database with the confirmatory delivery status, (col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label 254 is also scanned and stored in the database, meaning every time there is a return, the delivery confirmation is updated in the database when it is scanned).

As per claim 5, Sansone discloses:

wherein the postage transaction information further comprises a postage transaction date, (Col. 4, line 18, data included with the postal indicia).

As per claim 6, Sansone discloses:

wherein the postage transaction information further comprises a postage transaction date, postage transaction time, destination zip code, service class, postage amount, and mail piece weight, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claims 8, 9, Sansone discloses:

wherein the postage refund inquiry is received from an account administrator/
wherein the postage refund inquiry is received from an end user, (Col. 6, lines 20-24, buyer contact return processing, shows both buyer and return processing is involved in the refund inquiry, where returns processing represents the account administrator and the buyer represents the end user);

As per claim 10, Sansone discloses:

wherein the postage is refunded based on the delivery status contained within the retrieved postage transaction information, (Col. 6, lines 42-47, buyer receives refund if the information in the code matches the information in the database).

As per claim 28, Sansone discloses:

a database, (Col. 5, lines 55-58, data base);

... when executed by the data processing circuitry, configured for receiving confirmatory delivery status information from a master tracking computer system, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes];
and

... when executed by the data processing circuitry, configured for storing information for a plurality of postage transactions in a database, the information for each postage transaction comprising a tracking ID for tracking capability within the postal system and an associated delivery status, the database management module further configured for updating the delivery status with the confirmatory delivery status information, (Col. 6, lines 28-33, calculates postage required and enters the appropriate information in label 251 [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84])], here, this information is then stored in actual returned orders data base. Since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is obvious that the delivery status would be "returned" for the postage with that particular unique code, furthermore, col. 9, lines 14-22, and lines 46-49 shows that a determination as to whether or not stored information matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a determination is made that the information matches, a status report is completed about matching information, which means that container has ready for delivery status to the receive location).

...when executed by the data processing circuitry, configured for selecting the postage transactions in which the one or more postage transaction items are identical, and determining if any of the delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, (Col. 3, lines 15-21, shows the detection of modified indicia, and searching the labels for duplicate entrees, in this case, since the labels are Merchandise Return Labels, it is inherent that the delivery status would be

"returned". In addition, Col. 2, lines 59-64, shows that the label includes the meter number that paid for the delivery of the container, and information contained in the label will be sent to the data center, therefore informing the data center that the label has been delivered);

Wherein, if...determines that any of the delivery statuses for the selected postages transactions indicates that a mail piece has been delivered, the database management module credits a user account with a postage refund, (Col. 3, lines 21-23, shows that the data center will pay the post the amount debit to the meter for the cost of returning the container).

Sansone does not specifically disclose data processing circuitry, a communications module, a database management module, or a filtering module, but these features are inherent with Sansone since Sansone does disclose a computer environment in col. 5, lines 41-43, therefore making it obvious to include data processing circuitry, a communications module and a database management module.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include data processing circuitry, a communications module, a database management module, or a filtering module, with the motivation of incorporating hardware and software that is commonly included and necessary in a computing environment that handles processing of information, communicating information and utilizing databases in the environment.

Art Unit: 3628

5. Claims 7, 11-27, 30-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,547,136), and further in view of Whitehouse (US 6,005,945).

As per claims 7, 18, 34, 39, Sansone does not specifically disclose wherein the confirmation delivery status information is received from a postal authority, but does disclose that the label of a Merchandise Return Label includes the name of the post office that issued the permit number for returning a package.

However, Whitehouse discloses:

wherein the confirmation delivery status information is received from a postal authority, (Col. 7, lines 40-42, shows postal authority). Whitehouse discloses this limitation in an analogous art for the purpose of showing that the postal authority is in charge of validating all postal information).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for confirmation delivery status information to be received for a postal authority for the purpose of showing that the postal authority has control over all postal transactions including delivery confirmation.

As per claim 11, Sansone does not specifically disclose wherein the postage is refunded only if the retrieved delivery status indicates that a mail piece associated with the tracking ID has not been delivered, but does disclose issuing a refund for returned goods in col. 10, line 61.

However, Whitehouse discloses:

Art Unit: 3628

wherein the postage is refunded only if the retrieved delivery status indicates that a mail piece associated with the tracking ID has not been delivered, (Col. 25, lines 5-18, if never received , the postal service would issue a refund). Whitehouse discloses this limitation in an analogous art for the purpose of showing a that the postal service issues refunds for postage indicia that was unused.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to refund a postage only if the retrieved delivery status indicates that a mail piece associated with the tracking ID has not be delivered with the motivation of issuing a refund for undelivered mail, and thus unused postage.

As per claims 12/14, 22, Sansone does not specifically disclose wherein the postage is not refunded if the retrieved delivery status indicates that a mail piece associated with the tracking ID has been delivered/wherein the postage is not refunded, but does disclose issuing a refund for returned goods in col. 10, line 61.

However, Whitehouse discloses:

wherein the postage is not refunded if the retrieved delivery status indicates that a mail piece associated with the tracking ID has been delivered/wherein the postage is not refunded, (Col. 25, lines 5-18, shows that a process is carried out to ensure that the postal service would not issue a refund for a postage indicia that was previously used). Whitehouse discloses this limitation in an analogous art for the purpose of showing that the postal service does not issue refunds for postage indicia that was previously used.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to refund a postage if the retrieved delivery status indicates

Art Unit: 3628

that a mail piece associated with the tracking ID has been delivered/wherein the postage is not refunded with the motivation of not issuing a refund for delivered mail, and thus used postage.

As per claims 13, 21, 27, 42, Sansone discloses:

applying the tracking ID to a mail piece, (Col. 5, lines 32-33, delivery confirmation 254 affixed to label 251, which is affixed to the package upon return);

reading the tracking ID on the mail piece, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes], and scanned); and

updating the confirmatory delivery status information to indicate that the mail piece has been delivered, (col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label 254 is also scanned and stored in the database, meaning every time there is a return, the delivery confirmation is updated in the database when it is scanned).

Sansone does not specifically disclose processing the mail piece through a postal authority, but does disclose that the label of a Merchandise Return Label includes the name of the post office that issued the permit number for returning a package.

However, Whitehouse discloses:

processing the mail piece through a postal authority, (Col. 7, lines 40-42, shows postal authority). Whitehouse discloses this limitation in an analogous art for the

Art Unit: 3628

purpose of showing that the postal authority is in charge of validating all postal information).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for confirmation delivery status information to be received for a postal authority for the purpose of showing that the postal authority has control over processing of postal transactions including delivery confirmation.

As per claim 15, Sansone discloses:

storing information...in a database, the information for each postage transaction comprising a tracking ID for tracking capability within the postal system, postage transaction date, and delivery status associated with the tracking ID, (Col. 6, lines 28-33, calculates postage required and enters the appropriate information in label 251 [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84]]), here, this information is then stored in actual returned orders data base. Since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is obvious that the delivery status would be "returned" for the postage with that particular unique code, furthermore, col. 9, lines 14-22, and lines 46-49 shows that a determination as to whether or not stored information matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a determination is made that the information matches, a status report is completed about matching information, which means that container has ready for delivery status to the receive location);

Art Unit: 3628

receiving a postage refund inquiry for the user account, (Col. 6, lines 20-24, buyer contact return processing, w/ col. 6, lines 46-47, buyer will receive a refund, which is included with return processing);

retrieving the postage transaction information from the database in response to the postage refund inquiry, (Col. 6, lines 28-32, calculations are then made from the use data base, Sansone does not directly disclose "retrieving", however it is obvious that this postal transaction information must be retrieved from the use data base in order to make appropriate calculations).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for a tracking ID to have an associated delivery status with the motivation of identifying what the status of tracked postage is, and to retrieve information from a database with the motivation of conducting further processing of information for the postage being tracked; and

refunding the postage for a first postage transaction only if the delivery status for the first postage transaction indicates that...and the postage transaction dates for the first and second Postage transactions are the same, (Col. 6, lines 42-47, matching).

Sansone does not specifically disclose the following, however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

a plurality of postage transactions, (Abstract, lines 10-15, shows a database of information concerning user accounts [plural]);

Art Unit: 3628

associating the stored postage transaction information with a user account, (Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts);

refunding...only if the delivery status for the first postage transaction indicates that...a mail piece associated with the tracking ID for the first postage transaction has not been delivered, (Col. 25, lines 5-18, shows that a process is carried out to ensure that the postal service would not issue a refund for a postage indicia that was previously used).

Whitehouse discloses the above limitations in an analogous art for the purpose of showing that the a postal service can deal with a plurality of postage transactions for a plurality of user accounts, and does not issue refunds for postage indicia that was previously used.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a plurality of postage transactions and to associate the stored postage transactions with a user account, and not to refund a postage if the retrieved delivery status indicates that a mail piece associated with the tracking ID has been delivered/wherein the postage is not refunded with the motivation of not issuing a refund to a plurality of users for a plurality of postage transaction concerning delivered mail, and thus used postage.

As per claim 16, Sansone discloses:

wherein the information for each postage transaction comprises a destination zip code, service class and postage amount, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight);

wherein the postage is refunded only if the destination zip codes, service classes, and postage amounts for the first and second postage transactions are the same, (Col. 6, lines 42-47, match).

As per claims 17, 38, Sansone discloses:

receiving confirmatory delivery status information associated with the plurality of tracking IDs/ receiving confirmatory delivery status information, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes]; and

updating the plurality of delivery statuses in the database with the confirmatory delivery status information/ updating the delivery statuses in the database with the confirmatory delivery status information, (col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label 254 is also scanned and stored in the database, meaning every time there is a return, the delivery confirmation is updated in the database when it is scanned).

As per claims 19/20, Sansone discloses:

wherein the postage refund inquiry is received from an account administrator, (Col. 6, lines 20-24, buyer contact return processing, shows both buyer and return processing is involved in the refund inquiry, where returns processing represents the account administrator and the buyer represents the end user);

As per claim 23, Sansone discloses:

Art Unit: 3628

storing information for...postage transactions in a database, the information for each postage transaction comprising a tracking ID for tracking capability within the postal system and an associated delivery status, (Col. 6, lines 28-33, calculates postage required and enters the appropriate information in label 251 [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84])], here, this information is then stored in actual returned orders data base. Since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is obvious that the delivery status would be "returned" for the postage with that particular unique code, furthermore, col. 9, lines 14-22, and lines 46-49 shows that a determination as to whether or not stored information matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a determination is made that the information matches, a status report is completed about matching information, which means that container has ready for delivery status to the receive location);

receiving confirmatory delivery status information from the postal authority, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes]; and

updating the plurality of delivery statuses in the database with the confirmatory delivery status information, (col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label

Art Unit: 3628

254 is also scanned and stored in the database, meaning every time there is a return, the delivery confirmation is updated in the database when it is scanned).

Receiving a postage refund inquiry, (Col. 6, lines 20-24, buyer contact return processing, where the postage required for returning the goods is computed in col. 6, lines 28-30, and in this case, the postage to mail the goods back to the seller is analogous to the postage refund since it is common for a business to provide a buyer with free shipping with a return, as shown in Col. 3, lines 21-23, where it is shown that the data center will pay the post the amount debit to the meter for the cost of returning the container);

Searching the database for duplicative postage transactions associated with the postage refund inquiry, wherein the duplicative postage transactions include identical transaction dates, destination zip codes, and postage amounts, (Col. 3, lines 15-21, shows the detection of modified indicia, and searching the labels for duplicate entrees, in this case, since the labels are Merchandise Return Labels, it is inherent that the delivery status would be "returned". In addition, Col. 2, lines 59-64, shows that the label includes the meter number that paid for the delivery of the container, and information contained in the label will be sent to the data center, therefore informing the data center that the label has been delivered); and

Refunding the postage associated with the postage inquiry if the delivery status for one of the duplicative postage transactions indicate that a mail piece has been delivered, (Col. 3, lines 21-23, shows that the data center will pay the post the amount debit to the meter for the cost of returning the container).

Sansone does not specifically disclose a plurality of postage transactions, however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

a plurality of postage transactions, (Abstract, lines 10-15, shows a database of information concerning user accounts [plural]). Whitehouse discloses this limitation in an analogous art for the purpose of showing that a postal service can handle transactions that a plurality of postal users make.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a plurality of postage transactions with the motivation of being able to process more than one transaction for a plurality of user accounts.

As per claim 24, Sansone does not specifically disclose associating the stored postage transaction information with a plurality of user accounts, but does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses.

associating the stored postage transaction information with a plurality of user accounts, (Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts). Whitehouse discloses this limitation in an analogous art for the purpose of showing that a postal service can handle transactions that a plurality of postal users make.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to associate the stored postage transaction information with a

plurality of user accounts with the motivation of being able to process more than one transaction for a plurality of user accounts.

As per claim 25, Sansone discloses:

wherein the information for each postage transaction further comprises a postage transaction date, (Col. 4, line 18, data included with the postal indicia).

As per claim 26, Sansone discloses:

wherein the information for each postage transaction further comprises a postage transaction date, postage transaction time, destination zip code, service class, postage amount, and mail piece weight, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claim 30, Sansone does not specifically disclose e discloses:

Wherein the database management module is further configured for associating the stored postage transaction information with a plurality of accounts, but does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses.

Wherein the database management module is further configured for associating the stored postage transaction information with a plurality of accounts, (Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts). Whitehouse discloses this limitation in an analogous art for the purpose of showing that a postal service can handle transactions that a plurality of postal users make.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to associate the stored postage transaction information with a

Art Unit: 3628

plurality of user accounts with the motivation of being able to process more than one transaction for a plurality of user accounts.

As per claim 31, Sansone discloses:

wherein the information for each postage transaction information further comprises a postage transaction date, (Col. 4, line 18, data included with the postal indicia).

As per claim 32, Sansone discloses:

wherein the information for each postage transaction further comprises a postage transaction date, postage transaction time, destination zip code, service class, postage amount, and mail piece weight, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claim 33, Sansone discloses:

storing information...in a database, the information for each postage transaction comprising one or more postage transaction items, a tracking ID for tracking capability within the postal system and an associated delivery status, (Col. 6, lines 28-33, calculates postage required and enters the appropriate information in label 251 [which includes the unique code used to track the goods (see fig 3A, [zip codes 80 and 84])], here, this information is then stored in actual returned orders data base. Since the tracking ID is represented by the unique code, once this unique code is stored in the actual returned orders data base, it is obvious that the delivery status would be "returned" for the postage with that particular unique code, furthermore, col. 9, lines 14-22, and lines 46-49 shows that a determination as to whether or not stored information

Art Unit: 3628

matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a determination is made that the information matches, a status report is completed about matching information, which means that container has ready for delivery status to the receive location);

receiving an inquiry for duplicative postage transactions, (Col. 9, lines 45-47, decision block determines if duplicate data exists);

retrieving the postage transaction information from the database, (Col. 9, line 51, one is finding duplicate postage transaction indicia in the database, therefore must retrieve this information first)

selecting the postage transactions in which the one or more postage transaction items are identical, (Col. 9, lines 52-53, Col. 10, lines 19-21, transfers container to inspect bin); and

determining if any of the delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, (Col. 9, lines 35-53, after container for a postage transaction goes to an inspect bin, a determination is made as to whether read records containing delivery information matches and searches carrier [262] database).

Issuing a postage refund if any of the delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, (Col. 2, lines 59-64, shows that the label includes the meter number that paid for the delivery of the container, and information contained in the label will be sent to the data center, therefore informing the data center that the label has been delivered, w/Col. 3, lines 21-23, shows that the data

Art Unit: 3628

center will pay the post the amount debit to the meter for the cost of returning the container).

Sansone does not specifically disclose the following, however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

a plurality of postage transactions, (Abstract, lines 10-15, shows a database of information concerning user accounts [plural]);

associating the stored postage transaction information with a user account, (Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts);

Whitehouse discloses the above limitations in an analogous art for the purpose of showing that the a postal service can deal with a plurality of postage transactions for a plurality of user accounts, and does not issue refunds for postage indicia that was previously used.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a plurality of postage transactions and to associate the stored postage transactions with a user account, and not to refund a postage if the retrieved delivery status indicates that a mail piece associated with the tracking ID has been delivered/wherein the postage is not refunded with the motivation of not issuing a refund to a plurality of users for a plurality of postage transaction concerning delivered mail, and thus used postage.

As per claims 35, 43, 45, Sansone does not specifically disclose determining that issued postage is unused if the any delivery statuses for the selected postage

Art Unit: 3628

transactions indicates that a mail piece has been delivered/ wherein the filtering module is further configured for determining that issued postage is unused if the any delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, but however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

determining that issued postage is unused if the any delivery statuses for the selected postage transactions indicates that a mail piece has been delivered/ wherein the filtering module is further configured for determining that issued postage is unused if the any delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, (Col. 245, lines 5-13, checking database to see if postage indicia was unused). Whitehouse discloses this limitation in an analogous art for the purpose of determining if postage indicia has been used or not.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to determine that issued postage is unused if the any delivery statuses for the selected postage transactions indicates that a mail piece has been delivered/ wherein the filtering module is further configured for determining that issued postage is unused if the any delivery statuses for the selected postage transactions indicates that a mail piece has been delivered with the motivation of determining whether or not to issue a refund based on delivery status.

As per claim 36, Sansone discloses:

further comprising displaying the postage transaction information for the selected postage transactions, (Col. 7, lines 38-44, display results of postage calculations).

As per claim 37, Sansone discloses:

wherein the one or more postage transaction items comprises a postage transaction date, destination zip code, service class, and postage amount, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claims 40, 41, Sansone discloses:

wherein the duplicative postage transaction inquiry is received from an account administrator, (Col. 6, lines 20-24, buyer contact return processing, shows both buyer and return processing is involved in the refund inquiry, where returns processing represents the account administrator and the buyer represents the end user).

As per claim 44, Sansone discloses:

a database, (Col. 5, lines 55-58, data base);

a communications module, when executed by the data processing circuitry, configured for receiving an inquiry for duplicative postage transactions, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes]; and

a database management module, when executed by the data processing circuitry, configured for storing information for a plurality of postage transactions in a database, the information for each postage transaction comprising one or more postage transaction items, a tracking ID for tracking capability within the postal system and an associated delivery status, (Col. 6, lines 28-33, calculates postage required and enters

Art Unit: 3628

the appropriate information in label 251 [which includes the unique code used to track the goods], here, this information is then stored in actual returned orders data base.

Since the tracking ID is represented by the unique code, and since this unique code is stored in the actual returned orders data base, it is obvious that the delivery status is "returned" for the postage with that particular unique code, also, col. 4, lines 55-59 shows date included in the encrypted version of the unique number).

...when executed by the data processing circuitry, configured for selecting the postage transactions in which the one or more postage transaction items are identical, and determining if any of the delivery statuses for the selected postage transactions indicates that a mail piece has been delivered, (Col. 9, lines 52-53, Col. 10, lines 19-21, transfers container to inspect bin, w/Col. 9, lines 35-53, after container for a postage transaction goes to an inspect bin, a determination is made as to whether read records containing delivery information matches and searches carrier [262] database, w/ Col. 3, lines 15-21, shows the detection of modified indicia, and searching the labels for duplicate entrees, in this case, since the labels are Merchandise Return Labels, it is inherent that the delivery status would be "returned").

Wherein, if...determines that any of the delivery statuses for the selected postages transactions indicates that a mail piece has been delivered, the database management module credits a user account with a postage refund; and the filtering module filters out a refunded postage transaction from the selected postage transactions so the refunded postage transaction is not refunded multiple times, (Col. 2, lines 59-64, shows that the label includes the meter number that paid for the delivery of

Art Unit: 3628

the container, and information contained in the label will be sent to the data center, therefore informing the data center that the label has been delivered);

Wherein, if the filter module determines that any of the delivery statuses for the selected postages transactions indicates that a mail piece has been delivered, the database management module credits a user account with a postage refund, and the filtering module filters out a refunded postage transaction from the selected postage transactions so that the refunded postage transaction is not refunded multiple times, (Col. 3, lines 21-23, shows that the data center will pay the post the amount debit to the meter for the cost of returning the container, in this case, since duplicate entrees are already detected, sent to the data center, and the data center pays post for return shipping based on entrees that are not duplicated, it is impossible for the post to be refunded multiple times).

Sansone does not specifically disclose data processing circuitry, a communications module, a database management module, or a filtering module, but these features are inherent with Sansone since Sansone does disclose a computer environment in col. 5, lines 41-43, therefore making it obvious to include data processing circuitry, a communications module and a database management module.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include data processing circuitry, a communications module, a database management module, or a filtering module, with the motivation of incorporating hardware and software that is commonly included and necessary in a

Art Unit: 3628

computing environment that handles processing of information, communicating information and utilizing databases in the environment.

Sansone does not specifically disclose the database management module further configured for associating the postage transaction information with a user account, but does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

the database management module further configured for associating the postage transaction information with a user account, (Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts);

Whitehouse discloses the above limitations in an analogous art for the purpose of showing that the a postal service can deal with postage transactions for a user account.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the database management module further configured for associating the postage transaction information with a user account with the motivation associating a user trying to complete a postage transaction with a specific account.

As per claim 46, Sansone discloses:

wherein the one or more postage transaction items comprises a postage transaction date, destination zip code, service class, and postage amount, (Col. 4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claim 47, Sansone discloses:

wherein the communications module is farther configured for receiving confirmatory delivery status information, and the database management module is

Art Unit: 3628

farther configured for updating the delivery statuses with the confirmatory delivery status information, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes, col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label 254 is also scanned and stored in the database, meaning every time there is a return, the delivery confirmation is updated in the database when it is scanned).

As per claim 48, Sansone fails to disclose the following, however does disclose a system for issuing a refund for returned items by calculating the postage for returning an item in col. 10, line 61.

*However, **Whitehouse** ?????discloses:*

If the postage is refunded, checking for a change in the delivery status during a period of time after the refund, Sansone et al (Col. 2, lines 3-18 providing a signal indicative of the status of means for calculating postage); and

If the delivery status changes within the period of time, forwarding an alert to postal authorities, Sansone et al (Col. 20, lines 18-21, alarm). Sansone et al discloses the above limitations in an analogous art for the purpose of showing that the status of

6. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,547,136), and further in view of Sansone et al (US 5,008,827).

As per claim 29, Sansone fails to disclose the following, however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Sansone et al discloses:

a delivery status request module, when executed by the data processing circuitry, configured for generating a request for the confirmatory delivery status information, wherein the communications module is further configured for transmitting the request to the master tracking computer system, (col. 22, line 66-col. 23, line 14, system for tracking an article including means responsive to a tracking request identifying delivery stage through a user interface). Sansone et al discloses this limitation in an analogous art for the purpose of showing that a delivery stage can be identified in a delivery system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a delivery status request module, when executed by the data processing circuitry, configured for generating a request for the confirmatory delivery status information, wherein the communications module is further configured for transmitting the request to the master tracking computer system with the motivation of showing that the delivery status for a package can be obtained through a computer system.

Response to Arguments

7. Applicant's arguments filed 12/13/06 have been fully considered but they are not persuasive.

As per claim 1, the applicant argues that Sansone does not teach "receiving a postage refund inquiry", but rather discloses a request by the buyer of goods to return the goods to the seller. However, Col. 6, lines 20-24 not only disclose that the buyer examines goods and determines that goods will be returned to the seller, but also discloses that the buyer computer contacts return process. During the return process, it is shown that the buyer will receive a refund in col. 6, lines 46-47. In this passage, once the buyer indicates that the goods should be returned to the seller, this indication represents an inquiry of a refund since the return process automatically includes a refund to the sender. In addition, the postage to mail the goods back to the seller is analogous to the postage refund since it is common for a business to provide a buyer with free shipping with a return, as shown in Col. 3, lines 21-23, where it is shown that the data center will pay the post the amount debit to the meter for the cost of returning the container. Applicant also argues that Whitehouse merely discloses issuing a postage refund if a postage indicium is never received and processed by the postal system after the postage indicium has expired, and does not explicitly disclose refunding postage by retrieving postage transaction information containing tracking ID and associated delivery status from a database and determining whether to refund the postage based on the delivery status associated with the tracking ID contained within the retrieved postage transaction information. However, even though the postage may not be used, there is a possibility that it is used, as shown in col. 25, line 13-18, where it shows a refund situation where postage indicium is verified in the database as previously used.

As per claim 15, the applicant argues that neither Sansone or Whitehouse discloses the following amended limitation: "refunding the postage for a first postage transaction only if the delivery status for the first postage transaction indicates that a mail piece associated with the tracking ID for the first postage transaction has not been delivered, and the postage transaction dates for the first and second postage transactions are the same." However, Sansone discloses more than one transaction for a good in Col. 6, lines 42-47, therefore more than one postage transaction exists. Also, Col. 6, lines 55-64 discloses more than one transaction on one post, therefore the dates must be the same.

As per claim 23, the applicant argues that neither Sansone nor Whitehouse disclose "searching the database for duplicative postage transactions associated with the postage refund inquiry, wherein the duplicative transactions include identical transaction dates, destination zip codes, and postage amounts; and refunding the postage associated with the postage inquiry if the delivery status for one of the duplicative postage transactions indicates that a mail piece has been delivered". However, Sansone shows that duplicate entrees are searched for and the data center will pay the cost of returning the container in Col. 2, lines 64-Col. 4, line 23.

As per claims 28, 33 and 34, the applicant makes similar arguments to those argued for claim 23, therefore, claim 28 is still rejected for the same reasons as discussed with respect to claim 23.

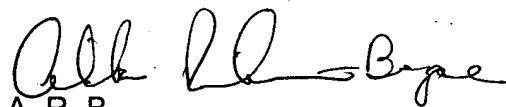
New claim 48 is rejected for the same reasons as disclosed for claim 1.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.

December 28, 2006